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Attorney for Defendant
YIU SING LEUNG

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No.: 2:20-cr-00301-RFB-BNW
)	
v.)	STIPULATION TO CONTINUE
)	SENTENCING HEARING
YIU SING LEUNG,)	(Eighth Request)
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED AND AGREED by and between Jason Frierson, Esq. United States Attorney, and Jacob Operskalski, Esq., Assistant United States Attorney, counsel for the UNITED STATES OF AMERICA (hereinafter, "the Government"), and Richard J. Pocker, Esq. of the law firm of Boies Schiller Flexner LLP, counsel for Defendant YIU SING LEUNG, that the sentencing hearing in the above-captioned matter, currently scheduled for January 26, 2023 at the hour of 11:00 a.m., be vacated and continued for at least ninety (90) days.

This Stipulation is entered for the following reasons:

1. Defendant LEUNG entered his plea of guilty to Count I of the Indictment in the present case on May 4, 2021. Sentencing as to Defendant LEUNG is presently scheduled for January 26, 2023 at the hour of 11:00 a.m. The Presentence Investigation Report was

1 completed and served by U.S. Probation Officer Leo Sanchez on June 25, 2021. That Report
2 has not been subsequently modified.

3 2. Defendant LEUNG and his counsel require additional time to prepare for the
4 sentencing hearing, including time to evaluate and address the contents of the Presentence
5 Investigation Report, complete arrangements for the presentation of evidence and testimony in
6 extenuation and mitigation, have discussions with the Government regarding the appropriate
7 sentencing calculations, and to prepare an effective Sentencing Memorandum to assist the
8 Court in determining the best sentence for Defendant LEUNG. Both of Defendant LEUNG's
9 co-defendants who were expected to stand trial beginning September 12, 2022, have now
10 entered pleas of guilty, and are waiting sentencing later this spring. The resolution of the co-
11 defendants' cases alters the considerations which will be central to Defendant LEUNG's
12 sentencing, and preparation for that hearing will require a different focus. A ninety day
13 postponement of the sentencing hearing will facilitate Defendant LEUNG's preparation for that
14 hearing, and the Government does not object to Defendant LEUNG's request, as it is willing to
15 have further discussions with defense counsel regarding "safety valve" considerations.

16 3. In addition to the foregoing considerations, undersigned counsel for Defendant
17 LEUNG served as lead trial counsel for the Respondents in China Yida Holding Company v.
18 Pope Investments, LLC, Case Number A-16-746732-P, which was tried in the Eighth Judicial
19 District Court between September 26 and October 10, 2022. The trial had a significant impact
20 on counsel's availability to attend to matters in other cases, including the present case. He was
21 also in trial between November 28 and December 15, 2022 in the matter of Rimini Street, Inc.
22 v. Oracle International Corporation, Case Number 2:14-cv-01699-MMD-DJA.

23 4. Defendant LEUNG is presently free on pretrial release pending his sentencing,
24 and does not object to the requested continuance. He is determined to ensure that the Court has
25 all relevant and available helpful information or advocacy on his behalf before the sentencing.
26 Denial of this request would be a miscarriage of justice given Defendant LEUNG's right to
27 adequately prepare for his sentencing hearing.

1 5. This is the eighth request to continue Defendant LEUNG's sentencing hearing.

2 DATED this 12th day of January, 2023.

3 BOIES SCHILLER FLEXNER LLP

JASON FRIERSON

United States Attorney

4
5 By: s/ Richard J. Pocker
6 RICHARD J. POCKER, ESQ.
7 Counsel for Yiu Sing Leung

By: s/ Jacob Operskalski
JACOB OPERSKALSKI
Assistant United States Attorney

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

YIU SING LEUNG,

Defendant.

Case No.: 2:20-cr-00301-RFB-BNW

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS HEREBY ORDERED**, that the sentencing hearing in the above-captioned matter, currently scheduled for January 26, 2023, at the hour of 11:00 a.m., be vacated and continued to April 27, 2023 at 2:30 PM.

DATED: January 13, 2023.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE